

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
ENDO PHARMACEUTICALS INC. and
GRÜNENTHAL GMBH,

Plaintiffs,

v.

AMNEAL PHARMACEUTICALS, LLC and
AMNEAL PHARMACEUTICALS OF NEW
YORK, LLC

Defendants.
----- x

12 Civ. 8115 (TPG)

ENDO PHARMACEUTICALS INC. and
GRÜNENTHAL GMBH,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC. and
BARR LABORATORIES, INC.

Defendant.
----- x

12 Civ. 8060 (TPG)

ENDO PHARMACEUTICALS INC. and
GRÜNENTHAL GMBH,

Plaintiffs,

v.

IMPAX LABORATORIES, INC. and THORX
LABORATORIES, INC.

Defendants.
----- x

12 Civ. 8317 (TPG)

(captions continued on
following pages)

ORDER

-----	X	
ENDO PHARMACEUTICALS INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	12 Civ. 8985 (TPG)
ACTAVIS INC. and ACTAVIS SOUTH	:	
ATLANTIC LLC,	:	
	:	
Defendants.	:	
	:	

-----	X	
ENDO PHARMACEUTICALS INC. and	:	
GRÜNENTHAL GMBH,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	13 Civ. 435 (TPG)
	:	
IMPAX LABORATORIES, INC.,	:	
	:	
Defendants.	:	

-----	X	
ENDO PHARMACEUTICALS INC. and	:	
GRÜNENTHAL GMBH,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	13 Civ. 436 (TPG)
ACTAVIS INC, ACTAVIS SOUTH	:	
ATLANTIC LLC, and WATSON	:	
PHARMACEUTICALS, INC.,	:	
	:	
Defendants.	:	
-----	X	

-----	X	
ENDO PHARMACEUTICALS INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	13 Civ. 3288 (TPG)
	:	
ROXANE LABORATORIES, INC.,	:	
	:	
Defendant.	:	
-----	X	
ENDO PHARMACEUTICALS INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	13 Civ. 4343 (TPG)
	:	13 Civ. 8597 (TPG)
SUN PHARMACEUTICAL INDUSTRIES,	:	
LTD.	:	
	:	
Defendant.	:	
-----	X	

ORDER

The court has filed, under seal, its findings of facts and conclusions of law regarding the bench trial for patent infringement which concluded on April 24, 2015. The decision refers to and incorporates confidential material. Thus, an unredacted copy of this decision has been emailed to each of the parties in the above captioned cases.

The parties are hereby directed to provide suggested redactions, if any, to the decision no later than Tuesday, August 18, 2015, at 12:00pm. They may do so by emailing black-line versions of the document to the court. Plaintiffs are encouraged, but not required, to submit their proposed redactions jointly. Defendants are encouraged, but not required, to do the same.

The court's ruling, as described more fully in the decision, is as follows. The court concludes that defendants' generic products, as described in their ANDAs, infringe all but two of the asserted claims of the '122 and '216 patents, and that defendants have failed to satisfy their burden of showing those claims to be invalid. The court concludes that defendants infringe the asserted claims of the '060 Patent, but that they have satisfied their burden and shown those claims to be invalid.

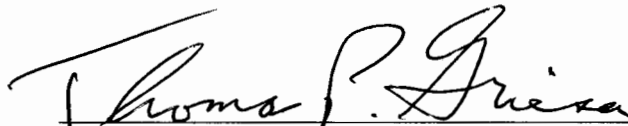
The court enters judgment in Endo's favor and enjoins defendants from making or selling their generic products prior to the expiration of the '122 and '216 patents. Moreover, the court orders that the effective date of approval of defendants' ANDAs shall be no sooner than the expiration date of the '122 and '216 patents. *See* 35 U.S.C. § 271(e)(4).

Because defendant Actavis is already on the market with its generic product, it shall have sixty days from the date of this order to comply. The court reserves decision on whether to award additional relief, including damages against defendant Actavis, pending further briefing from the parties.

Endo's recently filed motion to strike Amneal's obviousness defense in case number 12-CV-8115 is moot. The clerk of court is directed to resolve all pending motions in the above captioned cases.

SO ORDERED.

Dated: New York, New York
August 14, 2015


Thomas P. Griesa
U.S. District Judge